

# **BOARD OF ADJUSTMENT AGENDA**

**REGULAR MEETING  
TUESDAY MAY 27, 2014  
4:30 P.M.**

**CITY OF  
FREMONT**  
NEBRASKA PATHFINDERS

**CITY COUNCIL CHAMBERS**

1. Meeting Called to Order.
2. Roll Call
3. Reading of the Minutes of the April 28, 2014 Regular Meeting.
4. Public comment period. The general public is invited to address the Board of Adjustment regarding any item on this agenda. The overall and individual speaking time allotments may be limited by the Chair.
5. Consider request of Ron Vlach, Victory Marine, 2450 West Military Ave to allow accessory building to be located in front yard. Article 7 Section 704.

**THIS MEETING WAS PRECEDED BY PUBLICIZED NOTICE IN THE FREMONT TRIBUNE AND THE AGENDA DISPLAYED IN THE LOBBY OF THE MUNICIPAL BUILDING AND POSTED ONLINE AT [WWW.FREMONTNE.GOV](http://WWW.FREMONTNE.GOV) AND DISTRIBUTED TO THE BOARD OF ADJUSTMENT, MAYOR AND CITY COUNCIL ON MAY 19, 2014 AND IS OPEN TO THE PUBLIC. A COPY OF THE AGENDA WAS KEPT CONTINUALLY CURRENT AND AVAILABLE TO THE PUBLIC AT 400 EAST MILITARY, 3<sup>RD</sup> FLOOR. A COPY OF THE OPEN MEETING LAW IS POSTED CONTINUALLY FOR PUBLIC INSPECTION LOCATED NEAR THE COUNCIL CHAMBERS ENTRANCE DOOR BY THE AGENDAS. THE BOARD OF ADJUSTMENT RESERVES THE RIGHT TO ADJUST THE ORDER OF ITEMS ON THIS AGENDA.**

## STAFF REPORT

**TO:** Board of Adjustment

**FROM:** Rian Harkins, AICP, Planning Director

**DATE:** 10 April 2014

**SUBJECT:** Consider request of Ron Vlach to construct an accessory building located in front of the principal structure, 2450 West Military Avenue, Fremont, Nebraska

<b>Recommendation:</b> Staff recommends approval.
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### **Request:**

The applicant requests a variance to construct an accessory building in the front yard, in front of the principal structure.

### **Background**

The property is located to the west of the municipal boundary along West Military Avenue approximately one half mile west of the intersection of Ridge Road and West Military.

The property is located in the RL Lake and River Residential Zoning District, and is 10.26 acres in area. The applicant is requesting the variance from Article 7, Section 704 which notes that accessory structures must be located to the side or rear of the principle structure. The proposed accessory building, if the variance is granted, would be placed 17.5 feet south of the existing house. The applicant is requesting the variance in order to leave the remainder of the property open to future subdivision actions and minimize the development footprint on the parcel.

Because of the layout of the site, and the likely development pressure in the future, staff is recommending approval of the variance in order to keep the majority of the property open to future development.

### **Required findings:**

- (a) The strict application of the zoning regulations will produce undue hardship.
- (b) Such hardship is not shared generally by other properties in the same zoning district and in the same vicinity.
- (c) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.
- (d) The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice.
- (e) The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable a general regulation to be adopted as an amendment to these Zoning Regulations.
- (f) The granting of the variance will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of any Ordinance or Resolution.

S89°58'29"W  
172.31'

PROPOSED BUILDING  
450 WEST MILITARY AVE.  
VICTORY LAKE MARINE

2450

GARAGE

HOUSE

17.5'

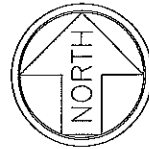
10'

481.78'

N02°34'07"E 608.36'

PROPOSED  
300' X 75'  
BUILDING

ISAAC  
WALTON  
LEAGUE



SCALE: 1" = 50'

N84°09'55"W  
97.65'

25'

N03°52'43"E  
157.28'

S03°52'43"W  
173.28'

N86°04'50"W  
99.95'

N03°52'44"E  
207.44'

N66°20'25"W  
44.76'

WEST MILITARY AVENUE

N66°34'02"W  
262.93'

Dodd Engineering  
& Surveying



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email: Steve@doddengineering.net

16TH STREET  
333

7:62 A<sup>2</sup>

T.B. 13  
7:01 A

ISAAC WALTON

$$26.5\frac{32}{A}$$

T.L. 66  
10.26A

2450 W MILITARY AVE

T.L. 14  
0.72 A

T.L. 14  
0.72 A

T.L. 14  
0.72 A

T.L. 14  
0.72 A

T.L. 15  
7.97 A

T.L. 21  
I.16A

101

T.L.22  
3.31A

11. 11.

T.L. 64  
T.O3A T.

63  
T.I.  
0.32A

FOI

LAKE NO. 13  
STATE LAKES ROAD

STATE LAKES ROAD

ADVENTURE